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Docket: 04196

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

**MAIL STOP AMENDMENT**

Erik HESTVIK

Art Unit: 3727

Serial No.: 10/512,085

Examiner: Tri M. MAI

Filed: November 8, 2004

For: BATON HOLDER

**RESPONSE**

U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In response to the non-final Office Action mailed on April 9, 2007, in the above-identified application, please reconsider the application in view of the following remarks.

The Office has required the Applicant to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

In a response filed on December 27, 2007, the Applicant elected Group 1 from Set 1, and Group 2 from Set 2, with traverse.

In a Communication dated April 9, 2007, the Office informed Applicant that the reply filed on December 27, 2007,

is not fully responsive in that the Applicant failed to identify the claims encompassing the elected invention.

In this regard, the Applicant now provides an identification of claims encompassing the elected invention, as follows:

Group 1 from Set 1: Claims 26-37 and 41-43 encompass an embodiment wherein the holder is used with a belt.

Group 2 from Set 2: Claims 26-28 and 30-43 encompass the embodiment shown in Fig. 8.

Favorable consideration of the application in the light of the present response is respectfully urged. If any issues remain that can be clarified by telephone, Examiner Mai is encouraged to contact Applicant's Representative at the number indicated below.

Respectfully submitted,

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Date: May 22, 2007